

Notice of Allowability

Application No.

09/609,336

Examiner

Matthew S. Gart

Applicant(s)

BARNHILL ET AL.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Decision on Appeal 9/26/2007 and Ex. Amend 12/13/2007.
2. ☒ The allowed claim(s) is/are 1,2,4-21 and 23-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

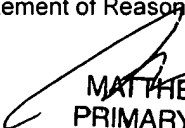
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 12/13/2007.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12/13/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


MATTHEW S. GART
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Josefina P. de Leon (Ph. 703-684-5600) on December 13, 2007.

In the Title

The title has been amended as follows:

Online product ordering method and system

In the Claims

The claims have been amended as follows:

1. (Currently amended) A method for ordering products online, comprising:
 - a) providing a server system for connection to a client system, said server system including product and order databases;
 - b) allowing the client system to be connected to the server system;
 - c) displaying on the client system a worksheet having rows and columns, two of said columns comprising empty fields;
 - d) allowing ~~[[the]]~~ a customer operating the client system to build the worksheet with products desired to be ordered by entry by the customer filling in the empty fields ~~[[with]]~~ of the product stock number included in the product database and corresponding quantities;
 - e) searching the product database by category and adding the product found to the worksheet; and
 - f) ~~[[e]]~~ allowing the customer to submit the worksheet to the server system to obtain a quote as to product price and availability or direct delivery by ordering the products listed thereon.
2. (Currently amended) A method as in claim 1, and further comprising wherein ~~the worksheet is built by~~ keying in stock numbers for the products included in the product database.

3. (Canceled)

4. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ searching the product database by manufacturer part number
included in the product database and adding the product found to the worksheet.

5. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ searching the product database by keyword included in the
product database and adding the product found to the worksheet.

6. A method as in claim 1, wherein the worksheet is built by cloning product
stock numbers from another worksheet.

7. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ cloning another worksheet.

8. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ cloning a product order.

9. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ importing a template.

10. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ importing a line item from a previous product order.

11. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ importing a line item from a template.

12. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ loading a template into the worksheet and editing each line
item as desired.

13. (Currently amended) A method as in claim 1, and further comprising wherein
~~the worksheet is built by~~ loading a template into the worksheet.

14. (Original) A method as in claim 1, and further comprising reserving the quote
for a predetermined period of time.

15. (Currently amended) A ~~client-server~~ system for ordering products online, comprising:

- a) a ~~[[client]]~~ server system including a database for products;
- b) said server system including means for displaying a worksheet on a client system;
- c) said worksheet including empty fields for entry by ~~[[the]]~~ a customer of stock numbers and corresponding quantities of the products to be ordered;
- d) means for searching for a product from said database by category and adding the product to the worksheet; and
- e) means for submitting the filled-in worksheet to order the products listed thereon.

16. (Currently amended) A ~~client-server~~ system as in claim 15, and further including means for saving said filled-in worksheet for later retrieval.

17. (Currently amended) A ~~client-server~~ system as in claim 15, and further comprising means for cloning said filled-in worksheet.

18. (Currently amended) A ~~client-server~~ system as in claim 15, and further including means for saving said filled-in worksheet as a template.

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19. (Currently amended) A ~~client-server~~ system as in claim 18, and further comprising means for importing product information from an existing template to said worksheet.

20. (Currently amended) A system website for ordering products online, comprising:

a) a server system for connecting to a client system through the Internet, said server system including a product database;

b) said server system including software for displaying a worksheet on a monitor of the client system;

c) said worksheet including rows and columns;

d) said worksheet including empty fields for entry of stock numbers and corresponding quantities of the products to be ordered, said empty fields being adapted to be filled by [[the]] a customer operating the client system; and

e) said software including means for searching the product database by category for products to be added to said worksheet.

21. (Currently amended) A system website as in claim 20, wherein:

- a) said software includes a presentation layer;
- b) a business layer communicating with said presentation layer; and
- c) a data layer communicating with said business layer.

22. (Canceled)

23. (New) A method for ordering products online, comprising:

a) providing a server system for connection to a client system, said server system including product and order databases;

b) allowing the client system to be connected to the server system;

c) displaying on the client system a worksheet having rows and columns, two of said columns comprising empty fields;

d) allowing a customer operating the client system to build the worksheet with products desired to be ordered by entry by the customer in the empty fields of the product stock number included in the product database and corresponding quantities;

e) searching the product database by manufacturer part number included in the product database and adding the product found to the worksheet; and

f) allowing the customer to submit the worksheet to the server system to obtain a quote as to product price and availability or direct delivery by ordering the products listed thereon.

24. (New) A system for ordering products online, comprising:

- a) a server system including a database for products;
- b) said server system including means for displaying a worksheet on a client system;
- c) said worksheet including empty fields for entry by a customer of stock numbers and corresponding quantities of the products to be ordered;
- d) means for searching for a product from said database by manufacturer part number and adding the product to the worksheet; and
- e) means for submitting the filled-in worksheet to order the products listed thereon.

25. (New) A system for ordering products online, comprising:

- a) a server system for connecting to a client system through the Internet, said server system including a product database;
- b) said server system including software for displaying a worksheet on a monitor of the client system;
- c) said worksheet including rows and columns;
- d) said worksheet including empty fields for entry of stock numbers and corresponding quantities of the products to be ordered, said empty fields being adapted to be filled by a customer operating the client system; and
- e) said software including means for searching the product database by manufacturer part number for products to be added to said worksheet.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Regarding Independent claims 1, 15, 20, 23, 24, and 25

Independent claims 1 and 23 recite either a method, *inter alia*, comprising: searching the product database by category or searching the product database by manufacturer part number.

Independent claims 15, 20, 24 and 25 recite either a system, *inter alia*, comprising: software or means for searching the product database by category or software or means for searching the product database by manufacturer part number.

The most remarkable prior art of record is to Kenny (U.S. Patent No. 6,026,376). The Examiner agrees with the "Decision on Appeal" decided on September 26, 2007. The Board of Patent Appeals and Interferences notes that Kenney (page 22 of decision) does not explicitly describe "searching the product database by category" or "searching the product database by manufacturer part number."

The application was remanded to the Examiner in the "Decision on Appeal" decided on September 26, 2007, to consider whether claims 1-22 should be rejected over Kenney in view of what was well known to one of ordinary skill in the art at the time the application was filed under 35 U.S.C. 103(a) rather than 35 U.S.C. 102(e).

Upon further evaluation and with respect to the currently amended claims, the Examiner believes that a rejection on obviousness would not be proper because none of the prior art of record remedies the deficiencies found in Kenny. Furthermore, neither the prior art of record or any readily available reference, the nature of the problem, nor knowledge of a person having ordinary skill in the art, provide any reasonable rationale to combine prior art teachings.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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DRAWINGS

Figures 8-31 contain improper shading which may affect clarity once reproduced. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

CONCLUSION

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

"Verix Software Announces Availability of Vertix eSales 2.1, The Enterprise Selling Solution." Business Wire, Page: 4220088, April 22, 1998

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew S. Gart whose telephone number is 571-272-3955. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Primary Examiner

April 18, 2007



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